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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.: 2003\_0867

First Named Inventor : Akira FUJISHIMA et al.

Title: CRYSTALS OF BENZIMIDAZOLE COMPOUNDS

Express Mail Label No.:

1762 U.S. PTO  
1760640  
06/23/03

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. ☒ (X) Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☐ (I) Small Entity Status is hereby asserted.
3. ☒ (X) Specification [Total Pages: 31]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Sequence Listing, a table, or a computer program listing appendix.
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ (I) Drawing(s) (35 USC 113) [Total Sheets: ]
5. ☒ (X) Oath or Declaration [Total Pages : 2]
  - a.1. ☐ (I) Newly executed (original or copy)
  - a.2. ☐ (I) Unexecuted
  - b. ☒ (X) Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ (I) DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ (I) Application Data Sheet (see 37 CFR 1.76)

7. ☐ (I) CD-ROM or CD-R in duplicate, large table or computer program (Appendix)
8. ☐ (I) Nucleotide end/or Amino Acid Sequence Submission (if applicable, all necessary)
  - e. ☐ (I) Computer Readable Form
  - b. Specification Sequence Listing on:
    - i. ☐ (I) CD-ROM or CD-R (2 copies); or
    - ii. ☐ (I) Paper
  - c. ☐ (I) The paper and computer readable copies are identical

## ACCOMPANYING APPLICATION PARTS

9. ☐ (I) Assignment Papers (cover sheet & document(s))
10. ☐ (I) 37 CFR 3.73(b) Statement (when there is an assignee)
  - ☐ (I) Power of Attorney
11. ☐ (I) English Translation Document (if applicable)
12. ☒ (X) Information Disclosure Statement (IDS)/PTO-1449
  - ☐ (I) Copies of IDS Citations
13. ☐ (I) Preliminary Amendment
14. ☒ (X) Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ (I) Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ (I) Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ (X) Other - Claim of Priority

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below, and in a preliminary amendment, or in an Application Data Sheet :
  - ☐ (I) Continuation ☒ (X) Divisional ☐ (I) Continuation-in-part (CIP) of prior application No. 10/019,254

Prior Application Information: Examiner Jane T. Fan

Group Art Unit 1625

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference therein. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS



000513

PATENT TRADEMARK OFFICE

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June 23, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Akira FUJISHIMA et al. :  
Serial No. NEW : Attn: APPLICATION BRANCH  
Filed June 23, 2003 : Attorney Docket No. 2003\_0867

CRYSTALS OF BENZIMIDAZOLE COMPOUNDS  
(Rule 1.53(b) Divisional of Serial No. 10/019,254,  
Filed December 28, 2001)

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

PATENT OFFICE FEE TRANSMITTAL FORM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of \$750.00 to cover Patent Office fees relating to filing the following attached papers:

Rule 53(b) application ..... \$750.00  
Additional Claims Fee:  
Excess of Twenty ..... \$  
Independent ..... \$  
Multiple Dependent Fee ..... \$

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Akira FUJISHIMA et al.

By Warren M. Check, Jr.  
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2003\_0867